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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 910759.CON

#11/PAC
C

Prior Application: Examiner D. Isabella; Art Unit 3308
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Box FWC
The Commissioner of Patents and Trademarks
Washington, D. C. 20231

FILE WRAPPER CONTINUING APPLICATION (FWC) UNDER 37 CFR 1.62

Sir:

I. This is a request for a filing under the File Wrapper Continuing application procedure, 37 CFR 1.62 for a Continuation of prior complete application Serial No. 07/863,848, filed April 6, 1992.

(a) The title of the invention as originally filed is:

"TREATMENT OF UROLOGICAL AND GASTRIC FLUID REFLUX DISORDERS BY INJECTION OF MICRO PARTICLES".

(b) Name of applicant(s) as originally filed and as last amended and current correspondence address of applicant(s) is:

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Robert A. Ersek
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Austin, Texas 78746 TX

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Arthur A. Beisang
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Shoreview, Minnesota 55126 MN

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Shoreview, Minnesota 55126 MN

The above identified application, in which no payment of issue fee, abandonment of, or termination of proceedings has

occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

II. Inventorship Statement

This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application is (are) the same.

The inventorship for all the claims in this application are the same.

III. Declaration

None required.

IV. Identification of Claims for Further Prosecution

The fees to be charged are to be based on the number of claims remaining as a result of the attached preliminary amendment.

V. Fee Calculation

CLAIMS FOR FEE CALCULATION

Basic Fee (Small Entity)	\$355.00
Number of independent claims,	
minus 3, times \$37.00	37.00
Total number of claims in excess	
of 20 times \$11.00	22.00
Multiple dependent claims	
times \$115.00	0.00
 Total Filing Fee (Small Entity)	 \$414.00

VI. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment

No Petition is deemed necessary due to the fact that a Preliminary Amendment is attached hereto and filed concurrently herewith.

VII. Small Entity Statement

The Small Entity Statement was filed in the parent application Serial No. 07/863,848 which parent application was filed on April 6, 1992 and this status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

VIII. Fee Payment Being Made At This Time

Please charge Deposit Account No. 08-1265 in the amount of \$414.00 to cover the filing fee on behalf of a Small Entity. A duplicate copy of this sheet is enclosed.

IX. Method Of Payment Of Fees

See Item VIII above.

X. Authorization To Charge Additional Fees

The Commissioner is hereby authorized to charge any fees listed in 37 CFR 1.16 and 1.17 which may be required by this Rule 62 filing, or credit any overpayment to Deposit Account No. 08-1265. A duplicate copy of this sheet is enclosed for that purpose.

XI. Instructions As to Overpayment

See Item X above.

XII. Priority - 35 U.S.C. 119

Not applicable in this instance.

XIII. Relate Back - 35 U.S.C. 120

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Amend the specification by inserting before the first line, the sentence: -- This is a continuation of copending application Serial No. 07/863,848, filed on April 6, 1992 ^{now abandoned}.

See Items XVIII hereinbelow.

XIV. Assignment

The prior application is assigned of record to the inventors, with the assignment having been recorded with the U. S. Patent and Trademark Office on October 1, 1992 on Reel 6271, Frame(s) 0283-0285.

XV. Power of Attorney

The Power of Attorney in the prior application is to Haugen and Nikolai, P.A., a professional association consisting of:
Orrin M. Haugen, Registration No. 17972;
Thomas J. Nikolai, Registration No. 19283;
Charles G. Mersereau, Registration No. 26205;
Frederick W. Niebuhr, Registration No. 27717; and
Robert C. Klinger, Registration No. 34365,

of 820 International Centre, 900 Second Avenue South,
Minneapolis, Minnesota 55402; Telephone No. (612) 339-7461.

The Power appears in the original papers in the prior application.

Address all phone calls and future communications to:

C. G. Mersereau, Registration No. 26205;
of Haugen and Nikolai, P.A., 820 International Centre, 900
Second Avenue South, Minneapolis, Minnesota 55402-3325;
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XVI. Maintenance of Copendency of Prior Application

The term of the shortened statutory period for response extends until May 1, 1993.

XVII. Conditional Petitions for Extension of Time in Prior Application

Not applicable.

XVIII. Abandonment of Prior Application

Please abandon the prior application at a time while the prior application is pending and when this application is granted a filing date so as to make this application copending with said

prior application. At the same time please add the words "now abandoned" to the amendment to the specification set forth in Item XIII above.

Dated: April 22, 1993

(1)

C.G.Mersereau

C. G. Mersereau
Registration No. 26205
~~HAUGEN AND NIKOLAI, P.A.~~
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